

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WEST-HARDWICK MARINE, LLC, an Alaska
limited liability company,

Plaintiff,

v.

SPIRIT OF '98, Official Number 677464, her
engines, furniture and appurtenances, *In Rem*;

and

WEST TRAVEL, INC., a Washington
corporation, *In Personam*,

Defendants.

IN ADMIRALTY

NO. 10-01505RSL

DECLARATION OF MATTHEW
SCHNEIDER

I, Matthew Schneider, pursuant to 28 U.S.C. § 1746, upon my personal knowledge,
information and belief, certify as follows:

1. I have experience as a vessel owner and operator and have served as the U.S.
Marshal's substitute custodian for vessels under arrest in this District.

2. I have read Local Admiralty Rule 135 pertaining to the custody of property and
am familiar with its provisions.

DECLARATION OF MATTHEW SCHNEIDER - 1

YOUNG deNORMANDIE
SECOND & SENECA BUILDING
1191 SECOND AVENUE, SUITE 1901
SEATTLE, WASHINGTON 98101
Phone: (206) 224-9818 Fax: (206) 623-6923

1 3. I am not a party to this action and have no interest in the outcome of this action in
2 which the defendant vessel SPIRIT OF '98, Official Number 677464 ("Vessel") will be under
3 arrest.

4 4. I am familiar with the defendant Vessel, at least to the extent of her size, type,
5 construction material and apparent condition and have access to adequate facilities and
6 supervision for and can safely keep the same in place of the United States Marshal during the
7 pendency of this suit until further Order of the Court, and in this regard, will perform the normal
8 and customary custodial services for said Vessel, including attending mooring lines, bilge
9 pumping as necessary, and providing locks and security, during the custodianship at a charge of
10 \$25 per day, plus the initial arrest charge of \$500.

11 5. If not paid directly by West-Hardwick, I will charge moorage at the rate currently
12 charged at her present location at Fishermen's Terminal, situated in Seattle, Washington, plus
13 15%. The total charge for said services will be less than those charged by the United States
14 Marshal for providing such services through professional keepers. I will provide these services
15 and keep the Vessel secured at her current location unless it is determined that the Vessel should
16 be moved in order to safeguard and protect the Vessel, or minimize expenses and/or maximize
17 the sale price of the Vessel. In the event the Vessel needs to be moved, I will notify the United
18 States Marshal's office prior to movement and when she has been secured.

19 6. I am the named beneficiary on a marine general insurance policy issued by
20 Farmers Insurance Services (Policy Number 60027-70-82) with a minimum limit of \$1,000,000
21 for damage sustained by third parties due to negligence committed during said custody, and
22 plaintiff further has agreed to hold harmless and indemnify the United States and the United
23 States Marshal.

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DECLARATION OF MATTHEW SCHNEIDER - 2

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1 7. I agree to accept substitute custodianship of the defendant Vessel, her engines,
2 machinery and appurtenances, etc. in accordance with the order appointing substitute custodian.

3 I certify under penalty of perjury under the laws of the United States of America that the
4 foregoing is true and correct.

5 DATED this 17 day of September, 2010 at Seattle, Washington.

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8 
9 Matthew Schneider

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DECLARATION OF MATTHEW SCHNEIDER - 3

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